

## **Draft Pastoral (Church Buildings Disposal) Scheme**

This Scheme is made by the Church Commissioners (“the Commissioners”) this ..... day of ..... 20.... under the Mission and Pastoral Measure 2011.

### **Background**

By a Scheme of the Commissioners made under the said Measure on the 1<sup>st</sup>. day of March 2019 the church of Saint Paul (“the building”) being the parish church of the parish of Lindale in the diocese of Carlisle was declared closed for regular public worship.

NOW, it is provided as follows:-

### **Future of the building and annexed land**

1. The building and the land annexed or belonging thereto shown hatched on the annexed plan (together referred to as the property) shall be appropriated to use for community, cultural and heritage purposes in connection with the Lindale Community Trust and for purposes ancillary thereto together with the rights granted by Schedule 1 and subject to the rights reserved by Schedule 2.

### **Disposal**

2. The Carlisle Diocesan Board of Finance is hereby empowered to lease the property for the said use together with the benefit of the rights granted by Schedule 1 and subject to the rights reserved by Schedule 2.

### **Contents**

3. The contents of the building shall be disposed of as the Bishop shall direct subject, so far as it is required, to listed building consent being granted.

### **Coming into operation of this Scheme**

4. This Scheme shall not come into operation until such date or dates as the Commissioners shall determine following the making of this Scheme and the Commissioners shall not be obliged to bring the Scheme or any part thereof into operation until such time as they are satisfied that the condition specified in Schedule 3 has been complied with but may do so if they so determine.

In witness of which this Scheme has been duly executed as a deed by the Church Commissioners.

Executed as a Deed by the Church Commissioners for England  
acting by two authorised signatories:

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Signature of Authorised Signatory

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Signature of Authorised Signatory

### **Schedule 1: Grant of Rights of Way**

To enable the property to be used for the purpose specified in the Scheme, the following rights shall vest in the Carlisle Diocesan Board of Finance for the benefit of the property: -

- (i) a right of way with or without vehicles over and along the existing pathways in the remaining parts of the churchyard annexed or belonging to the building subject to the lessees paying a fair and proper portion of the cost of keeping the same in good and substantial repair to the reasonable satisfaction of the parochial church council of the parish within the area of which the property is for the time being situated; and
- (ii) the right to the passage of water, soil, gas, electricity and telecommunication services (if any) through any drains, sewers, pipes, wires, cables and other conducting media (“the services”) now laid or to be laid under, upon or above the remaining part of the said churchyard; and
- (iii) the right (upon reasonable prior notice in writing to the said parochial church council) to enter with or without vehicles, equipment and apparatus upon such parts of the said churchyard as may be necessary for the purpose of inspecting, repairing and maintaining the building and for the purpose of laying, connecting into, inspecting, repairing, maintaining or renewing the services subject to the person exercising such right causing as little damage as possible to the said churchyard or any graves, tombstones, monuments and memorials therein, and subject to the lessees making good any damage so caused to the reasonable satisfaction of the said parochial church council or other the person for the time being responsible for the care and maintenance of the said churchyard and subject to the grant of any necessary faculties by the Consistory Court to authorise the said works.

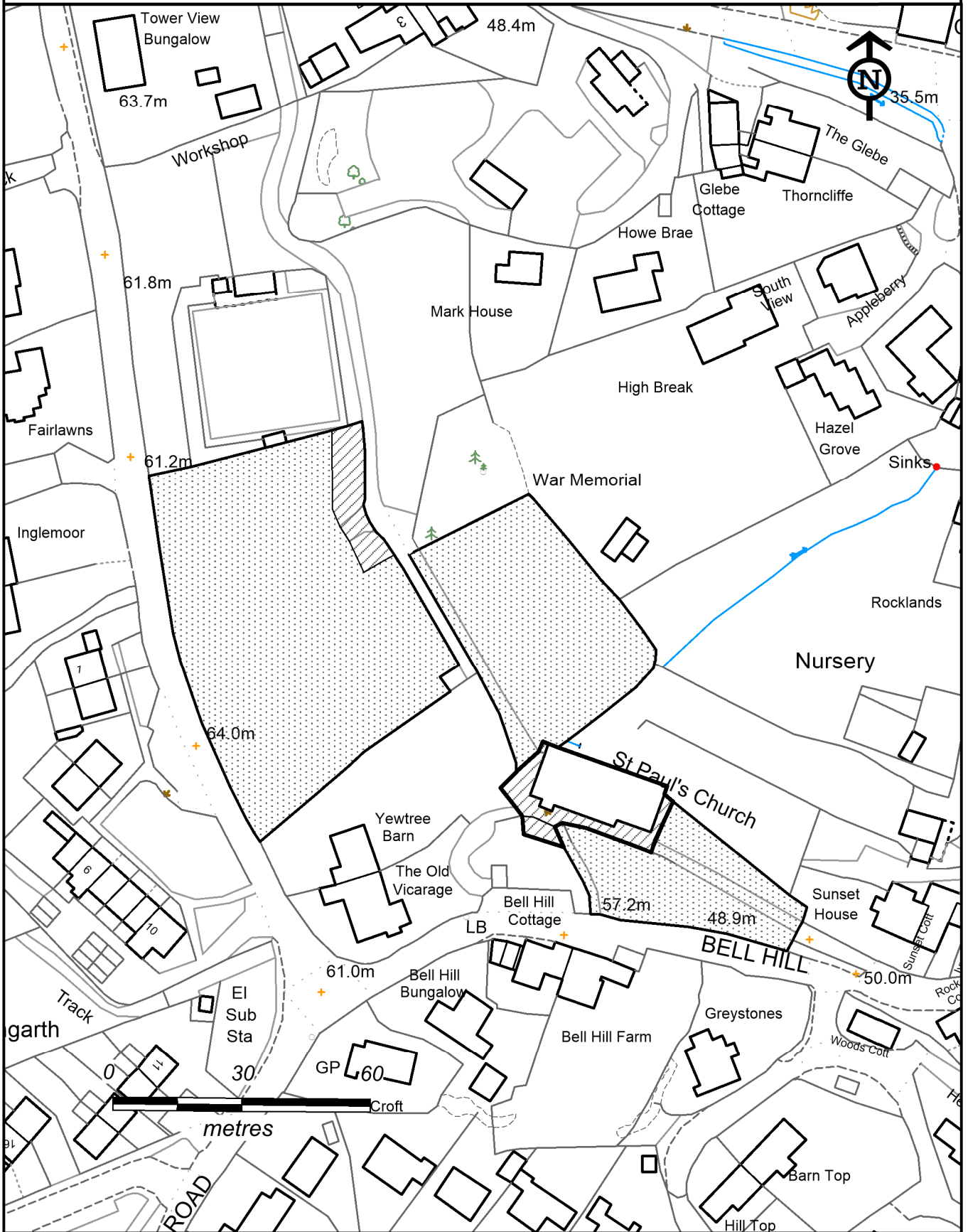
### **Schedule 2: Reservation of Rights of Way**

To enable the remaining part of the said churchyard shown stippled on the said plan (the “stippled land”) to continue in use as a burial ground the right to pass and repass over the hatched land with or without vehicles required in connection with the use and maintenance of the stippled land shall be reserved to the incumbent for the time being of the benefice of the Cartmel Peninsula Team Ministry and all persons lawfully visiting the stippled land.

### **Schedule 3: Condition**

- (i) That the terms of the lease have been approved by the Commissioners.

# CLOSED CHURCH OF LINDALE ST PAUL



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## **EXPLANATORY NOTE**

### **MISSION AND PASTORAL MEASURE 2011 DRAFT PASTORAL (CHURCH BUILDINGS DISPOSAL) SCHEME LINDALE ST PAUL DIOCESE OF CARLISLE**

This note accompanies a draft scheme under the Mission and Pastoral Measure 2011 which makes provision for the future of a closed church building, The Church Commissioners provide this information so that individuals and interested parties can understand the background to the proposals, make a reasoned judgement on the merits of the draft scheme and, if they see fit, a reasoned expression of support or objection to it.

#### **The Current Proposals**

The Commissioners have agreed to publish a draft Pastoral (Church Buildings Disposal) Scheme providing for the closed church of Lindale St Paul to be appropriated to use for community purposes.

The draft scheme, which this note accompanies, contains provisions for the building to be leased by the Carlisle Diocesan Board of Finance to the Lindale Community Trust, and for the contents of the building to be disposed of as the Bishop shall direct subject to the grant of listed building consent.

#### **Background**

Despite many years of hard work to keep the church going, maintenance issues eventually overwhelmed St Paul's aging congregation which was depleted not only in numbers but also in the necessary financial resources to undertake necessary repairs to the building. The church was subsequently closed for regular public worship in March 2019 and vested in the Diocese.

However, residents in Lindale felt that the building had a future as a local facility and the Diocese has now recommended that St Paul's should be used for community purposes. It is intended that the building will be leased to the newly established Lindale Community Trust for community, cultural and heritage use.

#### **The Building**

A simple building in an attractive location, St Paul's is a Grade II listed building which was designed by George Webster, an architect of regional importance. The present church occupies a site which has been a place of worship since at least the sixteenth century and has both historical and aesthetic significance. It is constructed largely of limestone, with slate pitched roofs to the nave and chancel.

The notable contents include a reredos featuring elaborate carved oak panelling with painted carved figures, a fine oak chancel screen with delicate tracery, and a large number of wall memorials in brass or white marble. In the churchyard is a tomb monument (separately listed Grade II) to George Webster.

### **The Views of the Statutory Advisory Committee**

The Commissioners statutory advisors, the Statutory Advisory Committee of the Church Buildings Council (SAC), have indicated that if outstanding repairs can be addressed the church seems readily adaptable to a wide range of community uses, although it would be preferable to keep the chancel and its furnishings intact. The site as a whole has high archaeological potential.

### **Planning and Access**

The proposed community use would not require planning permission, although any alterations to the building necessary for the introduction of new facilities (such as a kitchen and toilets) would need listed building consent. Access to the building would be along the existing church path on the east and the driveway on the west.

### **Burials and the Churchyard**

There is evidence of burials within the church (including John Wilkinson, the Iron Master). To the south and east of the building lies the oldest part of the churchyard, which is sloping and heavily buried. More recent burials lie within that part of the churchyard to the west of the church, which will continue in use for burials and will remain in the hands of the PCC. Rights of access will be reserved for people wishing to visit burial plots in that part of the churchyard disposed of for community use.

### **Making the Draft Scheme**

Before they allow the Scheme to proceed the Commissioners will need to be satisfied with the terms of the proposed lease.

### **Correspondence**

Further information about the proposals may be obtained from the Case Officer, Norman Bilsborough, by e-mail at [norman.bilsborough@churchofengland.org](mailto:norman.bilsborough@churchofengland.org) or by telephone on 07825 854935.

### **Representations against or in support of the draft Scheme**

Anyone may make a representation for or against any provision of the draft Scheme. Representations should be sent to:

**Representations  
Closed Churches Division, Church Commissioners  
Church House  
Great Smith Street  
London SW1P 3AZ**

Or by e-mail to: [closedchurches.reps@churchofengland.org](mailto:closedchurches.reps@churchofengland.org)

Any communication received after 21 May 2021 cannot be treated as a representation.

If we receive representations against the draft Scheme, we will send all representations, both for and against, to the Bishop, whose view will be sought. Individual representors will then receive copies of our correspondence with the Bishop (including copies of all the representations) and they may comment further in writing to us in light of the diocesan response if they so wish.

If no representations against the Scheme are received the Commissioners shall make the Scheme and bring it into effect as provided for in the scheme and explained above.

Information on the Mission and Pastoral Measure 2011 and its procedures can be found on the Church Commissioners' website at [www.ccpastoral.org](http://www.ccpastoral.org) where there are also links to download copies of these notes and the draft scheme.

Norman Bilsborough

March 2021

## **MISSION AND PASTORAL MEASURE 2011**

### **Closed church building of Lindale St Paul Diocese of Carlisle**

#### **How representations concerning a draft scheme are considered by the Church Commissioners**

Anyone may make comments, known as representations, either in support or against a draft scheme to the Commissioners in writing or by email. A petition will be given proper consideration, but for administrative purposes it will be classed as a single representation and we will only correspond with the sender of the petition, if known, or otherwise the first signatory.

If we do not receive any representations against the draft scheme the Commissioners will make the scheme, subject to any necessary consents being granted.

If we do receive any representations against the draft scheme we will seek the views of the Bishop about these, and those in favour. If you make a representation we will also share this with other representors and the Commissioners' Mission, Pastoral and Church Property Committee. We will send you a copy of our correspondence with the Bishop and you will be able to comment further if you wish on any points relating to your original representation.

Once all the relevant information has been collated the Mission, Pastoral and Church Property Committee will meet to consider all representations in relation to the draft scheme. In making a representation you should indicate whether you also request the opportunity to speak to the Committee about your representation. Otherwise, if a hearing is not held, the case will be considered in private, and you will be informed accordingly. If the Commissioners' decide to hold a public hearing into the case, you may attend the Committee meeting and you may have an opportunity to speak to your representation. When we acknowledge your representation we will let you know the dates of the Committee's next couple of meetings. We will confirm the actual date, and if a hearing is to be held, nearer the time.

The Mission, Pastoral and Church Property Committee will decide whether the draft scheme should proceed. A full statement of reasons for the Commissioners' decision will be issued to all representors about 10 days after the meeting of the Committee. If they decide that the scheme should proceed, the Commissioners will make the Scheme, subject to the necessary consents being granted, if appropriate.

The scheme would be brought into effect at the appropriate time as it provides.

Please note that the procedures for considering representations only apply where there is at least one objection to the draft scheme. The Committee will not have to consider the case where there are only representations in support of the draft scheme and no outstanding objections. If you write in support of the scheme, we will let you know as soon as possible whether we have also received representations against its provisions that will require consideration by the Committee.